

FILED

AO91 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT

APR 27 2007

WESTERN

DISTRICT OF

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERKUNITED STATES OF AMERICA
V.

SEALED

CRIMINAL COMPLAINT

Paul Ross Evans

Case Number: A-07-117M

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 25, 2007 in Travis County, in the Western District of Texas defendant(s) did,

(Track Statutory Language of Offense)

without lawful authority use weapons of mass destruction; maliciously attempted to damage or destroy, by means of fire or an explosive, a building used in interstate commerce; and by force interferes with any persons providing reproductive health services

in violation of Title 18 United States Code, Section(s) 2332(a), 844(i) and 248(a)(3).

I further state that I am a(n) Special Agent, FBI and that this complaint is based on the following facts:

Official Title

(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part of this complaint: X Yes ☐ No

Signature of Complainant

Curtis A. Henschen
Printed Name of Complainant

Sworn to before me and signed in my presence,

April 27, 2007
Date

at

Austin, Texas
City and StateRobert L. Pitman, United States Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, Curtis A. Henschen, having been first duly sworn, do hereby depose and state as follows: that I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in this capacity continually since 1984. I am currently assigned to investigations involving terrorism and other violent criminal matters. The statements contained in this affidavit are based on information provided by employees of the FBI and other law enforcement officers and on my experience as a Special Agent of the FBI. I have set forth the facts that I believe are necessary to establish probable cause to believe that Paul Ross Evans, white male, date of birth: March 7, 1980, committed violations of Title 18, United States Code, Section 2332(a) Use of weapons of mass destruction, Section 844(i) Manufacture of Explosive Material and Section 248(a)(3) Freedom of access to clinic entrances.

On April 25, 2007, at approximately 2:15 PM, Maureen Davis, the business manager of the Austin Woman's Health Center, 1902 South Interregional Highway 35, noticed a blue package in the parking lot area near the clinic's entrance. Davis called the Austin Police Department (APD), FBI and Bureau of Alcohol Tobacco and Firearms. Officials at the Center advised that abortions are performed at the facility.

The APD Bomb Squad and FBI Special Agent Bomb Technician responded and began explosive diagnostic procedures. The Bomb Squad utilized a robotic device, X-ray and pan disrupter equipment. The examination determined the presence of a battery, a 12 inch long, one inch in diameter copper pipe, a mechanical timer, wires connecting the components and a Coleman propane cylinder. The contents were determined to be consistent with an explosive device and the Bomb Squad began procedures to render the device safe.

A robot was used to remove the components from the package. The battery was removed from the circuit and the pan disrupter and a cutting technique were used to render the pipe safe. Upon opening the pipe, a white grainy substance was recovered. The white substance was later determined to be a mixture of potassium nitrate and dextrin. Bomb Squad officers advise that dextrin is a sugar. Further examination of the copper pipe identified a detonation device which was later determined to be a hobby rocket motor initiator. The device was further examined and approximately two pounds of nails, a Sunbeam brand timer and electrical tape were recovered.

The package was examined by investigators who described it as a blue insulated container. The investigator also noted a Trademark "Frozen" and a label which listed the website <http://ingearsports.com>. Investigators contacted Angela Jagla, Product Manager, Ingearsports, Buffalo Grove, Illinois, and she advised that their company manufactures and sells several soft wall insulated coolers and she also sent digital photographs of the their products. Investigators determined that one of the Ingearsports products was identical to the exploded package in color, pattern and size. Jagla further advised that the insulated cooler is distributed solely to Walmart, since February of 2007.

A canvass of Walmart stores was conducted in the Austin, Texas area and Investigators contacted Linda Gonzalez, Manager, Walmart, 710 East Ben White Boulevard, Austin, Texas. Gonzalez was shown a digital photograph of the Ingearsports soft wall insulated cooler. Gonzalez stated that the store does sell that product. Gonzalez conducted a computer analysis of recent sales and determined that a Ingearsports soft wall insulated cooler, a Coleman propane tank and nails were sold to a customer at their store on April 24, 2007 at 4:27 PM and the purchase is identified as receipt number 02697183817438066876. Gonzalez advised that in addition to the Ingearsports soft wall insulated cooler, a Coleman propane tank and nails, the purchase also included sugar, electrical tape, a Sunbeam timer and a Bluzz engine and was paid with a credit card with the last four digits 7841. Gonzalez contacted their corporate office and determined that account is a VISA Debit card the credit card number is 4316920660097841 and the account is managed by Regent's Bank.

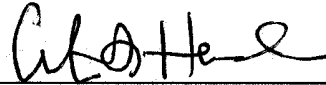
Investigators contacted Samuel White, District Loss Prevention Manager, Lowe's 6400 Brodie Lane, Austin, Texas and he advised that purchase had been made at their store by person using a VISA Debit card the full credit card number is 4316920660097841. White advise that Paul Ross Evans purchased three items on April 23, 2007 at Lowe's Store Number 82 in Lufkin, Texas. The three items were identified by White as a package of 9 volt Duracell batteries, electrical tape and a copper tube 1" in diameter. White also provided a surveillance video tape of Evan at Lowe's store.

An examination of Texas Driver's License records for the name Paul Ross Evans indicate that an individual name Paul Ross Evans, date of birth 03/07/1980, white male is issued Texas Driver's License Number 00072908, addressed at 4905 Merritt Drive, Unit C, Austin, Texas 78744. The Driver's license photograph depict an individual consistent with the video surveillance image of Evans that were recorded in Lowe's. An examination of Texas Criminal Records indicate that Evan possesses Texas State ID Number 06472762 and Texas Department of Criminal Justice Number 01146930 and Social Security Account Number 465-63-2446. Evans is on parole from 8/18/2005 until 01/15/2018 based on state charges of burglary of a habitation. Texas parole records indicates Evan's address to be 11609 Number A, April Drive, Austin, Texas.

A FBI Bomb Technician advised that the items purchased by Evans at Walmart and Lowe's were the same types of items that were recovered from the blue package that was recovered from the parking lot area near the Austin Woman's Health Center and the device was a functioning explosive device capable of causing a serious bodily injury or death by the action of an explosion.

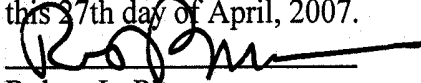
CONCLUSION

Based on the aforementioned factual information, your Affiant respectfully submits that there is probable cause to believe that Paul Ross Evans, white male, date of birth: March 7, 1980, committed violations of Title 18, United States Code, Sections 2332(a) Use of weapons of mass destruction, 844(i) Manufacture of Explosive Material and 248(a)(3) Freedom of access to clinic entrances.



Curtis A. Henschen
Special Agent, FBI

Subscribed to and sworn to before me
this 27th day of April, 2007.



Robert L. Pitman
United States Magistrate Judge